



**DEPARTMENT OF CORRECTIONS
PROBATION AND PAROLE DIVISION
OPERATIONAL PROCEDURE**

Procedure No.: PPD 4.6.202	Subject: OVERRIDE TO MONTANA STATE PRISON / MONTANA WOMEN’S PRISON	
Reference: P&P 150-1; DOC 1.5.4; 53-1-203, MCA	Page 1 of 5	
Effective Date: 01/20/15	Revision Dates: 11/03/15	
Signature / Title: /s/ Kevin Olson, Probation and Parole Division Administrator		

This procedure is referenced as ACCD 4.6.200 Administrative Transfers/Overrides in Section 3.G. Offender Management; Administrative Transfer/Overrides in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, Connections Corrections Program (CCP), START, and WATCH Contract.

I. PURPOSE:

Probation and Parole Division programs/facilities will follow established procedures when administratively overriding an offender's custody level and transferring the offender from the community or a facility to Montana State Prison or Montana Women's Prison.

II. DEFINITIONS:

CSD-Clinical Services Division – The division within the Department responsible for the overall health care functions of medical, mental health, dental and vision for all programs and facilities.

Contract Manager – The Department's employee who acts as the liaison for services and monitors the contractual agreements between the Department and PPD contract treatment facilities and prerelease centers.

Override – A management decision to place an offender at Montana State Prison/Montana Women's Prison when it has been determined the offender is inappropriate for community placement for disciplinary reasons or risk to community.

PPD-Probation and Parole Division – The Division oversees the Probation & Parole regional offices, interstate transfers, and the facilities providing assessments and sanctions, training, prerelease, and treatment services.

III. PROCEDURES:

- A. Probationers cannot be sent to Montana State Prison (MSP) or Montana Women's Prison (MWP) unless their probation is first revoked by the court and a prison sentence or DOC commitment is given.
- B. Offenders placed at a facility or on parole or conditional release supervision may be transferred to MSP/MWP if found to be inappropriate for their placement due to disciplinary reasons or assessments. This may include the inability to place an offender at a PPD facility for those reasons or assessments, as well as:
 1. Offender is a public safety risk:
 - a. disciplinary behaviors;
 - b. denied all community placements;

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- 2) CORVerificationMWPPASRC@mt.gov for females;
 - v. If applicable:
 - 1) CSD; and
 - 2) MSP Mental Health Director for males; or
 - 3) MWP Treatment and Reentry Program Manager for females;
 - b. If the override recommendation is rejected, the referral source can request a discussion and review with the PPD Administrator.
 - c. Upon approval, transport details will be determined by MDIU and sending facility. The approved *PPD 4.6.202(A) MSP/MWP Override and Referral Form* is transferred with offender.
- IPPO/PRC Liaison/
Facility Administrator
MDIU/Sending Jail
- 2. Override from Probation & Parole**
- a. When determining that a new DOC-commit, parolee or conditional release offender is not a viable candidate for community placement and there is relevant medical and/or mental health information concerning the offender, contact the Contract Manager to review offender's circumstances and all information prior to continuing with override;
 - b. If MSP/MWP is the most appropriate option for the offender:
 - i. For parolee:
 - 1) Contact BOPP and conduct on-site hearing (*P&P 140-2 On-Site (Preliminary) Hearing*);
 - 2) Complete *PPD 4.6.202(A) MSP/MWP Override and Referral Form*. Offender's circumstances and all information regarding the reason for the override, including all relevant medical and/or mental health information, must be completed on the *Form*, and *Form* is forwarded to corao@mt.gov for discussion.
 - 3) Document must be saved as follows:
Offender last name, first name: Facility/P&P: Override
 - 4) Email subject line must read as follows:
Offender last name, first name, DOC#: Facility/P&P: Override
 - ii. For conditional release offender:
 - 1) Conduct disciplinary hearing (*P&P 140-1 Adult Offender Disciplinary Hearings*);
 - 2) Complete *PPD 4.6.202(A) MSP/MWP Override and Referral Form*. Offender's circumstances and all information regarding the reason for the override, including all relevant medical and/or mental health information, must be completed on the *Form*, and *Form* is forwarded to corao@mt.gov for discussion.
 - 3) Document must be named as follows:
Offender last name, first name: Facility/P&P: Override
 - 4) Email subject line must read as follows:
Offender last name, first name, DOC#: Facility/P&P: Override
- RA/POII
- RA/POII
- RA/POII

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- iii. For new DOC Commit:
- 1) Fax or email the following to the MASC Coordinator or Passages ASRC Manager to discuss an override on the offender:
 - a) *P&P 150-1(A) Notification and Placement Warrant*, including a brief statement on the form explaining the offender's circumstances and why the override is being requested;
 - b) *P&P 150-1(D) Verification of Commitment* or certified court order;
 - c) *P&P 30-1(B) Pre-Sentence Investigation*; and
 - d) *P&P 100-1(A) Report of Violation*.
 - 2) If the coordinator/manager concurs with the override, he/she will complete *PPD 4.6.202(A) MSP/MWP Override and Referral Form*. Offender's circumstances and all information regarding the reason for the override, including all relevant medical and/or mental health information, must be completed on the Form, and Form is forwarded to corao@mt.gov for discussion:
 - a) Document must be saved as follows:
Offender last name, first name: Facility/P&P: Override.
 - b) Email subject line must read as follows:
Offender last name, first name, DOC#: Facility/P&P: Override.
 - 3) If the coordinator/manager rejects the override recommendation, the RA or POII can request a discussion and review with the PPD Administrator.
 - 4) If the final decision is for an override, inform:
 - a) Contract Placement Bureau Administrative Officer;
 - b) CSD, if applicable;
 - c) MSP/MWP Records:
 - i) CORVerificationMSP@mt.gov for males;
 - ii) CORVerificationMWPPASRC@mt.gov for females; and
 - d) MDIU Admissions for males; or MWP Admissions Officer for females.
 - c. If there is relevant medical and/or mental health information included on *Form*, it will be forwarded to cormedical@mt.gov or cormentalhealth@mt.gov for the CSD Administrator or designee's review and signature.
 - d. Once reviewed, CSD Administrator or designee will return form to corao@mt.gov.
 - e. Override is reviewed and returned to RA/POII.
 - f. Completes *P&P 150-1(A) Notification and Placement Warrant* for the placement determined and forwards to the appropriate parties.

RA/POII

MASC Coordinator/
Passages ASRC Manager

RA/POII

MASC Coordinator/
Passages ASRC Manager

PPD Administrative Officer
or designee

CSD Administrator or
designee
PPD Administrative Officer
or designee
RA/POII

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- g. Once placement has been determined and an offender file has been put together with all relevant documents, the file will be forwarded to the appropriate location. See *P&P 150-1(F) Where Files Go*. RA/POII

IV. CLOSING:

Questions regarding this procedure should be directed to the PPD Administrator, Programs and Facilities Bureau Chief, Contract Manager, or RA.

V. FORMS:

PPD 4.6.202 (A)	MSP/MWP Override and Referral Form
P&P 150-1 (A)	Notification and Placement Warrant
P&P 150-1(F)	Where Files Go